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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,146	09/29/2003	Chia-Yuan Pang	251210-1420	1918
24504	7590	09/08/2005	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 GALLERIA PARKWAY, NW STE 1750 ATLANTA, GA 30339-5948			SHIN, CHRISTOPHER B	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,146

Applicant(s)

PANG, CHIA-YUAN

Examiner

Christopher B. Shin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to because, in figure 3, it is not properly labeled.

Proper labeling of drawings is very important when it becomes patent for the readers and searchers for the patent. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatano (US 2002/0002645 A1).

a. In figures 2-6 & the respective descriptive section, Hatano reference teaches the claimed invention as follows:

<u>Claims 11-20</u>	<u>Hatano (figures 2-6)</u>
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- Reception device of operation information collection
 - Feature of (10)
- A reception port to receive operation information
 - Feature of (3)
- A micro-controller to store the operation information in the storage
 - Feature of (2-3)
- Output port, the micro-controller further transmitting the operation information to a computer host for analysis through the output port in real time
 - Feature of (2-3) communicating with (30), via (9,33,20)
- Output port and a switch, the micro-controller further transmitting the operation information in the storage to a computer host for analysis through the output port according to the switch
 - Obvious feature of (2-3) interconnecting (6-7)
- Micro-controller further transmits a start transmission signal through the reception port, and a device outputs the operation information to the reception device through a serial communication interface
 - Obvious features of different protocols used by (2-3)
- Wherein the serial communication interface is a UART interface, an I2C bus, or asynchronous mode interface
 - Obvious modification/common knowledge in communication art

<u>Claims 1-10</u>	<u>Hatano (figures 2-6)</u>
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- A system of operation information collection for CD-ROM drives
 - Feature of system of figure 2
- A CD-ROM drive system having a serial communication interface through which to output operation information
 - Feature of (7, 10) having (9) interface
- A reception device having a reception port and storage to receive and store the operation information from the CD-ROM drive system
 - Feature of (3, 4) receive operation information from (7)
- The reception device further transmits a start transmission signal to the CD-ROM drive system, and the CD-ROM drive system outputs the operation information to the reception device through the serial communication interface
 - Feature of (10) communicating with (7)
- The reception device further transmits the operation information to a computer host for analysis through an output port in real time
 - Feature of (2-3, 10) transmits data to (30)
- Wherein the reception device further comprises a switch, and transmits the operation information in the storage to a computer host for analysis through an output port according to the switch
 - Obvious feature of (2-3) interconnecting (6-7)
- Wherein the serial communication interface is a UART interface, an I2C bus interface, or a synchronous mode interface
 - Obvious modification/common knowledge in communication art

b. As for claims 1-5 and 11-15, the difference between the claimed invention and the teachings of the claimed invention is that the claimed invention does not expressly disclose the same types of communication protocols; however, such difference in limitations are no more than utilizing/adding commonly and readily available types of communication protocols in the Hatano's system. At the time of the invention, many different communication types are all equally available; as a result, one having ordinary skill in the art can easily choose or pick one of more of the chosen types to communication means. The examiner takes official notice on such well known commonly utilized types of communication at the time of the invention. Therefore, it would have been obvious at the time the invention was

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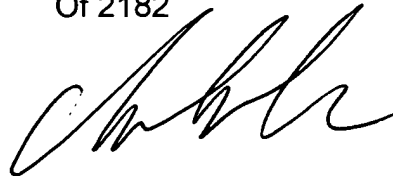
made to one having ordinary skill in the art to add one of many equally well-known serial communication types to the Hatano system to come up with the invention, for the reasons stated above.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B. Shin whose telephone number is 571-272-4159. The examiner can normally be reached on 6:30-5:00 M,Tu,Th,F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Shin
Primary Examiner
Of 2182



August 29, 2005
cbs